IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Richard M. Chesbrough et al.

For: TISSUE LOCALIZING AND MARKING DEVICE AND

METHOD OF USING SAME

Serial No.: 10/707,044

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PRELIMINARY AMENDMENT

Sir:

Prior to examination in this application, kindly amend the above-identified U.S. patent application as follows:

Amendments to the Claims appear in the complete listing of claims which begins on page 2 of this paper.

Remarks begin on page 12 of this paper.